

REMARKS/ARGUMENTS

In response to the above-identified Office Action, Applicant has amended claim 10. Accordingly, claims 1-18, 20, and 22-26 remain pending in the present application.

For the reasons set forth more fully below, Applicant respectfully submits that the present claims are allowable. Consequently, reconsideration, allowance and passage to issue of the present application are respectfully requested.

Applicant appreciates and respectfully acknowledges the Examiner's indication that claims 1-9, 20, and 22-26 are allowed.

The Examiner maintained the rejection of claim 10 under 35 U.S.C. 103(a) as being unpatentable over Kim et al in view of Eddy et al. Applicant respectfully disagrees with the rejections.

In making the rejection, the Examiner states:

Claim 10 differs from claim 1 by not limiting the device to a power backplane arrangement. Without the above mentioned limitation, claim 10 only recites the normal function of a circuit declared to be "fail safe" since by definition any fault in the fail safe circuit would have to initiate shutdown or the device would exhibit an unsafe failure mode which would be contrary to the fail safe concept.

Applicant respectfully submits that claim 10 recites in step (a) "providing a fail safe circuit in a power backplane" and in step (b) "utilizing the fail safe circuit to shutdown at least one power supply when a preset threshold is exceeded or when a fault occurs in the fail safe circuit and to reset and resume normal operation following a temporary fault." As such, Applicant respectfully submits that the fail safe circuit is recited as part of a power backplane arrangement. However, Applicant has amended claim 10 to more closely reflect the language of claim 1 by including in step (b) that the at least one power supply shutdown by the fail safe circuit is coupled to the power

backplane of step (a). Applicant respectfully submits that no new matter has been added by the amendment nor has the scope of the claim been changed. In view of the foregoing, Applicant respectfully requests withdrawal of the rejection of claim 10.

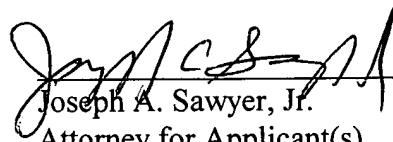
Further, Applicant appreciates and respectfully acknowledges the Examiner's indication that claims 11-18 are objected to but would be allowable is rewritten in independent form including all of the limitations of the base claim and any intervening claim. Applicant respectfully submits, however, that claims 11-18 depend directly or indirectly from claim 10, which is presented hereinabove as allowable and therefore are in condition for allowance as recited.

In view of the foregoing, Applicant's attorney believes that this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,

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June 24, 2004



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